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### **DETAILED ACTION**

1. Applicant's Response to Office Action, received 19 May 2011, is acknowledged. Claims 10-13, 25-29, 33, 38 and 39 have been cancelled. Claim 36 has been amended.
2. Claims 31, 32, 34-36, 40 and 41 are pending and under consideration.

### **Rejections/Objections Moot or Withdrawn**

3. The objection to claim 26 is moot in light of the cancellation of the claim.
4. The objection to claim 27 is moot in light of the cancellation of the claim.
5. The rejection of claims 10-13, 25-28 and 33 under 35 U.S.C. 112, second paragraph, indefiniteness for "under stringent conditions, is moot in light of the cancellation of the claims.
6. The rejection of claim 36 under 35 U.S.C. 112, second paragraph, indefiniteness for "under stringent conditions, is withdrawn in light of the claim amendment.
7. The rejection of claim 25-29, 38 and 39 under 35 U.S.C. 112, first paragraph, scope of enablement for subunit vaccines of only one subunit, or of subunits 27 kD, 62kD, 57 kD, 74 kD, 43 kD or 101 kD, is moot in light of the cancellation of the claims.

### **Conclusion**

8. Claims 31, 32, 34-36, 40 and 41 are allowed.
9. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Rodney P. Swartz, Ph.D., Art Unit 1645, whose telephone number is (571) 272-0865. The examiner can normally be reached on Monday-Thursday from 7:30 AM to 6:00 PM EST.

If attempts to reach the Examiner by telephone are unsuccessful, please contact the Examiner's Supervisor, Gary Nickol, at (571)272-0835.

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The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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/Rodney P Swartz/

Primary Examiner, Art Unit 1645

June 2, 2011